

**SEALED**

FILED  
 U. S. DISTRICT COURT  
 DISTRICT OF NEBRASKA

13 MAY 22 PM 4:22

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL JAMES TYNDALL,

Defendant.

8:13CR 209

INDICTMENT

18 U.S.C. § 1153

18 U.S.C. § 2241(c)

18 U.S.C. § 2243 (a)(1)

The Grand Jury Charges:

**COUNT I**

On or about May 3, 2013, in the District of Nebraska, on and within the Omaha Indian Reservation in Indian Country, MICHAEL JAMES TYNDALL, an Indian male, did knowingly cause and attempt to cause J.W., an Indian female victim, who had attained the age of 12 years but had not attained the age of 16 years, to engage in a sexual act, to wit, contact between the Defendant's penis and the victim's vulva, by the use of force against J.W. in that the Defendant pushed apart J.W.'s legs, forced his penis inside of J.W. and continued to maintain contact between the Defendant's penis and the victim's vulva after she told him to stop, in violation of Title 18, United States Code, Sections 1153 and 2241(c).

**COUNT II**

On or about May 3, 2013, in the District of Nebraska, on and within the Omaha Indian Reservation in Indian Country, MICHAEL JAMES TYNDALL, an Indian, did knowingly engage in a sexual act, to wit, contact between the penis and the vulva with J.W., an Indian

female, who had attained the age of 12 years but had not attained the age of 16 years and was at least four years younger than the Defendant, in violation of 18 U.S.C. Sections 1153 and 2243(a)(1).

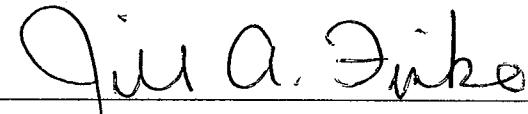
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A TRUE BILL:

  
\_\_\_\_\_  
FOREPERSON

  
\_\_\_\_\_  
DEBORAH R. GROGAN  
United States Attorney

The United States of America requests that trial of this case be held at Omaha, Nebraska, pursuant to the rules of this Court.

  
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JILL A. FINKEN

Special Assistant U.S. Attorney